

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 8th day of JUNE, 1993 there was conducted a REGULAR Session of the Honorable Commissioners' Court of Cameron County, Texas, at the Courthouse thereof, in the City of Brownsville, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.

THE COURT MET AT:
1:30 P.M.

PRESENT:
ANTONIO O. GARZA, JR.
COUNTY JUDGE

LUCINO ROSENBAUM, JR.
COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS
COMMISSIONER, PRECINCT NO. 2

JAMES R. MATZ
COMMISSIONER, PRECINCT NO. 3

NATIVIDAD VALENCIA
COMMISSIONER, PRECINCT NO. 4

INELDA T. GARCIA, Deputy
COUNTY CLERK

ABSENT:

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The meeting was called to order by Judge Antonio O. Garza, Jr. He then asked Ms. Tencha de la Peña, Elections Administrator, to lead the Court and the audience in reciting the Pledge of Allegiance to the Flag.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on June 4, 1993 at 2:16 P. M.

(19) CANVASS OF THE JUNE 5TH SPECIAL ELECTION FOR U.S. SENATE

Commissioner Matz moved that the results of the June 5, 1993 Special Election for the United States (U. S.) Senate be canvassed and that the results be presented prior to the end of the Meeting.

The motion was seconded by Commissioner Cascos and carried unanimously.

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NOT ON AGENDA INTRODUCTION OF CANDIDATE MS. ROSEANNA GUTIERREZ FOR THE POSITION OF ASSISTANT COUNTY EXTENSION AGENT-HOME ECONOMICS

At this time, Ms. Bertha Garza, County Extension Services District Director, requested the Court's consideration and approval of the appointment of Ms. Roseanna Gutierrez, Valley resident, for the position of Assistant County Extension Agent - Home Economics, effective June 21, 1993.

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the appointment of Ms. Roseanna Gutierrez for the position of Assistant County Extension Agent for Cameron County was approved, to be ratified at the next Meeting.

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(1) APPROVAL OF COUNTY CLAIMS

Commissioner Valencia moved that the County Claims be approved as presented and on the recommendation of the County Auditor.

The motion was seconded by Commissioner Matz and carried unanimously.

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(2) APPROVAL OF BUDGET AMENDMENTS AND OR SALARY SCHEDULES

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Fiscal Year 1993 Budget Amendment No. 26 was approved.

Commissioner Cascos moved that the Salary Schedules for the District Attorney's Office, Department Nos. 21-477, 21-478, 50-474, and 50-476 and the Parks Systems Department, Department Nos. 83-660 and 83-662 be approved.

The motion died for lack of a second.

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Salary Schedules for the District Attorney's Office, Department Nos. 21-477, 21-478, 50-474, and 50-476 were approved.

At this time, Mr. Kenneth Conway, Parks Director, explained that the changes in the Salary Schedule for the Parks System reflected the reclassification of several positions and the up-grading of nineteen (19) entry level positions, said salaries to be within the Budget.

Commissioner Cascos moved that the Salary Schedule for the Parks Systems Department, Department Nos. 83-660 and 83-662 be approved.

The motion was seconded by Commissioner Matz and carried the following vote:

AYE: Commissioners Rosenbaum, Cascos, Matz and Judge Garza

NAY: Commissioner Valencia.

The Budget Amendment and Salary Schedules are as follows:

(3) APPROVAL OF MINUTES' OF MAY 25, 1993 AND JUNE 1, 1993

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the Minutes' of the Regular Meeting held May 25, 1993 at 1:30 P. M. and of the Regular Meeting held June 1, 1993 at 1:30 P. M. were approved, subject to the corrections as noted by Commissioner Cascos.

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(4) PRESENTATION OF STATUS REPORT ON THE JUVENILE DETENTION CENTER SITE AND STATEMENT OF ASSURANCE ON INTENDED USE OF THE SITE

Ms. Rosemary Martinez, Administrative Assistant to the County Judge, reviewed the following "Memorandum" to the Court, noting that the rezoning of the property for the construction of the Juvenile facility was approved by the San Benito City Commission on June 1, 1993:

Ms. Martinez reviewed the time-line for the construction of the facility and added that the "Ground Breaking" would be scheduled for September 15, 1993, with an anticipated completion date of February 1995.

Ms. Martinez explained that during the Planning and Zoning Meeting, Ms. Katherine Fairchilds, adjoining property owner, had expressed some concerns regarding the security and had requested assurances that the County would not utilize the property for an Adult facility instead of the Juvenile facility, adding that she had assured Ms. Fairchilds that the Bond issue specified a "Juvenile facility".

Judge Garza explained that the Bond Order explicitly dictated the use and any violations of those Orders would jeopardize this Court's Bond rating and that the Court would be reluctant to assume that kind of liability.

At this time, Ms. Fairchilds stated that she and her neighbor were not opposed to the facility as long as they received written assurances of the intended use.

Commissioner Cascos moved that the Status Report on the Juvenile Detention Center Site be acknowledged and that the "Letter of Assurance" on the intended use of the Site be issued.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(5) AUTHORIZATION TO INSTALL CEILING FANS IN THE COUNTY OWNED CHARLIE'S BUILDING AT AN ESTIMATE COST OF \$5,000.00

Ms. Rosemary Martinez, Budget Officer, explained the problems being experienced with the air conditioning system at "Charlie's Building", adding that the Purchasing Agent and the Maintenance Supervisor have inspected the units and recommended that ceiling fans be installed, at an estimated cost of \$5,000.00.

Ms. Martinez stated that the cost to replace the system with brand new units would be approximately \$35,000.00 and the cost for used units would costs approximately \$24,000.00, but that those options were not recommended because of the uncertain disposition of the building. She stated that the matter was discussed with the tenant and he was in agreement with the addition of ceiling fans for the improvement of air circulation in the Building.

Commissioner Cascos moved that the amount of \$5,000.00 be allocated to install ceiling fans in the County's owned "Charlie's Building", said funds to be allocated from the Bridge System Budget.

The motion was seconded by Commissioner Matz and carried unanimously.

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(6) **PRESENTATION OF STATUS REPORT ON PROGRESS BY
JACK L. BROWN, ENGINEER FOR THE CAMERON
COUNTY DRAINAGE DISTRICT NO. 5**

Mr. Jack Brown, Project Manager, reviewed the following Preliminary Engineering Report as filed in the Office of the County Clerk on Friday, June 4, 1993 and highlighted the operation, maintenance and financing of the proposed Drainage District No. 5:

Mr. Brown noted that the estimated \$14.5 million Project would be completed within five (5) years, and that a \$10 million Bond Issue was being recommended with the balance of the cost distributed among the County and Cities involved. He added that the proposed three (3) cent tax increase would generate the amount of \$250,000.00 needed for the maintenance and operation of the Drainage District.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the Status Report on the progress of the Cameron County Drainage District No. 5, as presented by Mr. Jack L. Brown, Project Engineer, was acknowledged.

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(7) **AUTHORIZATION TO SET PUBLIC HEARING ON THE
ENGINEER'S PRELIMINARY REPORT ON CAMERON
COUNTY DRAINAGE DISTRICT NO. 5, FOR JUNE 29, 1993
AND AUTHORIZATION TO INSTRUCT THE COUNTY
CLERK TO POST NOTICE OF PUBLIC HEARING**

Commissioner Valencia moved that a Public Hearing on the Engineer's Preliminary Report on Cameron County Drainage District No. 5 be set for the Regular Meeting of June 29, 1993, said Meeting to recess and reconvene at the Harlingen Public Library from 5:30 P. M. to 7:00 P. M., in order to solicit additional public comments, and that the County Clerk be instructed to post the "Notice of Public Hearing" as required.

The motion was seconded by Commissioner Matz and carried unanimously.

The Notice is as follows:

(8) AUTHORIZATION TO OPEN BIDS FOR DEMOLITION OR SALE AND REMOVAL OF BUILDINGS AT FM ROAD 509 WITHIN LOTS 4 AND 5 AT SANTA ANA DEVELOPMENT SUBDIVISION NO. 2

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, approval was given to open bids as received for the Demolition or sale and removal of Buildings at FM Road 509 within Lots 4 and 5 of the Santa Ana Development Subdivision No. 2.

The bids received and opened are as follows:

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the bids were referred to the Purchasing Agent for tabulation and recommendation to the Court of the best bid in one (1) week.

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**(18) APPROVAL FOR USE OF JOHN LENNON PARK IN
OLMITO FOR AN "AIDS BENEFIT" CONCERT TO BE
HELD THE EVENING OF JULY 3, 1993**

Commissioner Cascos moved that the use of the John Lennon Park in Olmito, Texas, for an "Aids Benefit" Concert to be held the evening of July 3, 1993 be authorized.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

At this time, Commissioner Cascos suggested that Mr. Lee McNamara, Concert Promoter, contact the Parks Director for direction concerning the requirements for the public Concert.

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**(19) CANVASS OF THE JUNE 5TH SPECIAL ELECTION FOR
U.S. SENATE**

At this time, Ms. Tencha de la Peña, Elections Administrator, reported that no changes were found in the Special U. S. Senate Election, noting that the total votes cast were 14,924, representing 14.5 percent of the registered voters.

Commissioner Rosenbaum moved that the canvassed results of the June 5, 1993 Special Election for the United States (U. S.) Senate be acknowledged.

The motion was seconded by Commissioner Cascos and carried unanimously.

The Canvass Report is as follows:

(9) AUTHORIZATION TO OPEN BIDS FOR TWO (2) PICK-UPS (IN STOCK) FOR VARIOUS DEPARTMENTS

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, approval was given to open bids as received for two (2) pick-up trucks, in stock, for various Departments.

The bids received and opened are as follows:

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, the bids were referred to the Purchasing Agent, the appropriate Department Heads and the Budget Officer for review, evaluation and consideration of possible funding.

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(10) AUTHORIZATION TO OPEN REP NO. 93-05-01 FOR "COMPUTERIZED TAX BILLING - TAX COLLECTION, ENTITY DISTRIBUTION AND TAX AUDITING-DATA PROCESSING SYSTEM" FOR TAX DEPARTMENT

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, approval was given to open the Request for Proposals No. 93-05-01 for "Computerized Tax Billing - Tax Collections, Entity Distribution and Tax Auditing-Dating Processing System" for the Tax Department.

The Proposals received and opened are as follows:

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Proposals were referred to the Budget Officer, the Tax-Assessor Collector, the Computer Center Director and the County Auditor for tabulation and recommendation to the Court of the best Proposal.

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(11) AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE FM511 - DAKOTA ROAD SANITARY SEWER PROJECT, TCDP CONTRACT NO. 070115

Commissioner Rosenbaum moved that the advertisement for bids for the FM511 - Dakota Road Sanitary Sewer Project, that being Texas Community Development Project (TCDP) Contract No. 70115, be authorized.

The motion was seconded by Commissioner Cascos and carried unanimously.

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(12) PRELIMINARY AND FINAL APPROVAL

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, preliminary approval was given to the following subdivision, on the recommendation of the County Engineer's Office:

- a) **PRECINCT NO.3** -Macario Gonzalez Subdivision - being a 41.44 acres subdivision comprised of 22.24 acres out of Block 163 and 2.55 acres out of Block 164 of the Fresnos Land and Irrigation Company Subdivision.

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(13) AUTHORIZATION TO TERMINATE CONTRACT WITH LAGUNA MADRE BOYS AND GIRLS CLUB

Mr. Kenneth Conway, Parks Director, explained that the Director of the Laguna Madre Boys and Girls Club requested to be relieved from the Contract's responsibility and he recommended said termination.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the Contract with the Laguna Madre Boys and Girls Club was terminated.

(14) **RATIFICATION OF ACTION TO SOLICIT PROPOSALS/BIDS FOR BEACH CLEANING ACTIVITY**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the solicitation of proposals and or bids for the Beach Cleaning Activity was ratified.

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(15) **APPROVAL OF PUBLIC BEACH CLEANING AND MAINTENANCE AGREEMENT NO. 93-134R BETWEEN CAMERON COUNTY AND TEXAS GENERAL LAND OFFICE**

Mr. Kenneth Conway, Parks Director, noted that the State was proposing an allocation in the amount of \$63,445.96 for the Beach Cleaning and Maintenance in Cameron County, said amount to be "split" between Precinct No. 1 and the Parks System, based on the actual percentages of expenditures.

A discussion followed concerning the previous distribution of funds, based on the actual expenditures between Precinct No. 1 and the Parks System, and the suggestion was made to approve the Contract and to determine the allocations at a later date.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Matz and carried unanimously, the Public Beach Cleaning and Maintenance Agreement No. 93-134R between Cameron County and the Texas General Land Office was approved.

The Agreement is as follows:

**(16) AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE
DEMOLITION/SALE AND REMOVAL OF CIVIC CENTER
AT ISLA BLANCA COUNTY PARK**

Commissioner Valencia moved that advertisement for bids for the demolition or sale and removal of the Civic Center at Isla Blanca County Park be authorized.

The motion was seconded by Commissioner Matz and carried unanimously.

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**(17) APPROVAL OF TDH DOCUMENT NO.C300282,
ATTACHMENT NO. 07, CHANGE NO. 08, AMENDMENT
TO ADD A NEW ATTACHMENT FOR IMMUNIZATION
DIVISION**

Upon motion by Commissioner Cascos, seconded by Commissioner Valencia and carried unanimously, the Texas Department of Health (TDH) Document No. C3000282, Attachment No. 7, Change No. 8, that being an Amendment to add a new attachment for the Immunization Division, was approved.

The Document No. C3000282 is as follows:

(20) **AUTHORIZATION TO TRAVEL AND/OR APPROVAL OF TRAVEL EXPENSES**

Upon motion by Commissioner Cascos, seconded by Commissioner Matz and carried unanimously, the following travel and or travel expenses were approved, subject to availability of funds in their budget:

- a) Two (2) Computer Center Employees to travel to Austin on June 17, 1993, to attend the County and State CJIS Forum:
- b) One (1) Health Department employee to travel to Corpus Christi on June 6-7, 1993, for the "Mitigating the Prenatal Effects of Alcohol and Other Drug Use" Meeting:
- c) Veterans Service Officer and Secretary to travel to Austin on July 5-9, 1993, to attend Veteran's Training Seminar; and
- d) Commissioners Rosenbaum and Valencia, Precinct No. 1 Foreman, and Mr. Mike Forbes, Purchasing Agent, to travel to San Antonio and Houston, Texas, to the Tex Surplus Property Agency on June 15-17, 1993.

ANNOUNCEMENT

Judge Garza extended an invitation, on behalf of Commissioner Rosenbaum, to the "Ground Breaking Ceremonies" for the new Community Health Center, located at Iowa Avenue, Brownsville, scheduled for Friday, June 11, 1993 at 10:00 A. M.

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There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the meeting was adjourned.

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APPROVED this 15th day of **JUNE**, 1993.

ANTONIO O. GARZA, JR.
COUNTY JUDGE

ATTEST:

JOE G. RIVERA,
COUNTY CLERK AND EX-OFFICIO CLERK
OF THE COMMISSIONERS' COURT OF
CAMERON COUNTY, TEXAS